

REMARKS

Claims 1-11 were rejected under § 103 over Han USP 6,608,707 in view of Stocker USP 6,667,817. This rejection is respectfully traversed.

Han discloses push-buttons on the housing to select low, medium, or high resolution (e.g., col. 4, line 16 or col. 5, line 24), but there no disclosure whatsoever about *how* these resolutions are effected. The depiction of the scanner 40 in Han's Fig. 2 shows no optical structure or any features other than the general shape. The only mention of the scanner 40 is at col. 3, line 55, and there is no description there, only a reference to another patent (which is not applied), USP 5,907,413. The patent '413 discloses “a rod or 'Selfloc' lens” and it teaches against separate lenses and mirrors (shown in “prior art” Fig. 1 of the '413 patent).

There is no description in Han of the optics, only a mention of “CCD or CIS camera” at col. 5, line 33. Han's claims, and description of the prior art, both recite a “digital camera” for imaging (col. 1, lines 26-27 and col. 12, line 42); here is no description of this digital camera.

Han discusses what buttons and handles are on the housing, and the results of pushing those buttons, without explaining the internal structures. The Examiner asserts (last four lines on page 2 of the Action) that Han discloses a lens with an optical length between the lens and the document, but this must be inferred as none is seen.

The Examiner relies on Stocker for a second carriage, second lens, and second optical length.

Stocker discloses (Fig. 1) an arrangement with two lenses (26 and 28) and numerous mirrors, just the sort of thing that Han's incorporated '413 patent teaches against.

Second Carriage. The Examiner applies element 60 in Fig. 5 of Stocker as anticipating *both* the claimed first carriage and second carriage (page 3, lines 15-17). This is respectfully traversed as improper and legally incorrect. Even if it were proper to take the disclosure of a

single feature as a disclosure of a multitude of that feature (not admitted), there would still be no disclosure of the two features being in two locations.

It is respectfully submitted that neither of the references discloses a second carriage, and therefore no combination (not admitted obvious to combine) could reach the instant claims.

First Carriage. Furthermore, element 60 is not even a carriage, much less two distinct carriages; it is a lens exchange shuttle. Stocker writes (col. 6, line 5), “An exemplary lens assembly exchange device ... 52, is illustrated in Fig. 5. A shuttle 60 is positioned ... such that it can slide laterally relative to the base member 54. ...The shuttle 60 supports a pair of lens housings 62 and 64.” It is clear that in Fig. 1 the vertical arrows on the lenses 26 and 28 indicate the motions caused by the lens assembly exchange device 52, while the scanning direction is indicated by the horizontal arrow at the top of the figure and the scanning motion is carried out by the “document feeder” 23 (col. 4, line 7).

Carriage in Cover. Neither reference discloses a carriage in a cover, or any cover able to hold a carriage.

Distance. Claim 1 recites “a distance between the first sensing module and the first lens; ... the [same] distance between the second sensing module and the second lens.” With respect, this feature, which is exemplified in instant Fig. 4 (where the one distance is indicated by the same letter “m” for both), is not disclosed by either reference. Stocker discloses two different distances in its Fig. 3, and Han discloses nothing.

Second Sensing Module. No second sensing module is disclosed by either reference. Only a single array sensor 30 is disclosed by Stocker (Figs. 1 and 5 and col. 6, lines 41-43). Han does not appear to describe even a first sensing module, much less a second one.

Combination. As noted above, Han's incorporated '413 patent advocates a “rod” and teaches against lenses and mirrors, while Stocker discloses lenses and mirrors. The references themselves are seen to teach against combination, not towards it.

The motivation proposed by the Examiner at page 4, line 4 “[to] improve the image quality ... caused by variation in the intensity of the light emitted by the lamp,” is respectfully traversed. Han itself teaches nothing, but the disclosure of its incorporated patent '413 (which is not applied in the rejection) appears to place the lamp and sensor close together, so there is no variation in the light, and the arrangement of Stocker would probably be completely useless. Stocker addresses only the problem of light variation when there are two lenses, and Han does not disclose two lenses.

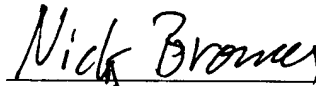
If the person of ordinary skill were to combine the references (not admitted obvious), that person would add a lamp intensity sensors to Han, because that is what Stocker teaches (col. 2, lines 47-56). Such a modification would not result in the instant claims.

Withdrawal of the rejection is requested.

Respectfully submitted,

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Date



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